



FARM WORKERS ASSOCIATION

ASOCIACION de TRABAJADORES CAMPESINOS

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Dear Anne:

The enclosed affidavit from the Puerto Rican should bring back memories. Here we go again with them. The same false recruiting has gone on in other areas among other groups, but I thought you might be interested and able to reestablish communication with the Puerto Rican officials who said they would protect their workers from exploitation.

The reason I am choosing this channel is a reason that may be of interest to C.F.L. and may be a long range thing for them to work on. It is one of those little known harassments to farm workers that I am learning here. ie.

The state labor code specifically prevents employers from recruiting workers for any job with false promises of wages or from recruiting workers as scabs without previously informing the workers that they will be used as scabs. As you note, both of these violations occur in the case I am enclosing. What about enforcement or apprehension of violators? The state labor commissioner office in Fresno, a John Manning who is considered very friendly to us, claims that there is no sense in initiating any complaint unless we can promise to produce the injured party 3-6 months from the time the case is initially filed. This is because the procedure involved is: a) taking the complaint from the injured party--to be done as soon as the labor commissioner's office has someone free to work on it, ie. about one week; b) filing the complaint with the D.A., who rarely accepts these complaints according to the labor commissioner's office, but let's assume he does it will take about a week's time there; c) apprehending the alleged offender, ie. the labor contractor who immediately pleads not guilty and requests a jury trial which will be set for about 2-3 months in advance; d) if the injured party does not personally appear at the jury trial, there is absolutely no chance of winning the case, but how many injured transients, used to abuses like this, are going to present themselves in three months, etc. What effectively happens is that assuming the case is entered, by the time prosecution takes place, the season is over, the recruitment has already been done and the prosecution is of little use.

The number of men being brought in this way is very high right now, about the highest since the strike started, which convinces us that the strike is effective here, but not if this recruitment continues. I thought that perhaps some publicity via Puerto Rican officials about abuses to their men would provide at least publicity substitute for law enforcement..... On a longer term basis, perhaps something of the administrative setup could be changed so that contractors or ranchers violating the law can be prosecuted in some more reasonable amount of time.

Otherwise, things are going very well here. the pruning is way behind that in neighboring areas and we are very strong now. thanks for everything.

Exact copy of a Statement by Diego Cortes-Montero, age 24, of Utuado, Puerto Rico, Selective Service number 53-71-41-436 made on January 14, 1966 to National Farm Workers Association staff.

My home is in Utuado, Puerto Rico. My family is in Puerto Rico. I have been to the United States 21 times to work either in the fields or in factories. This was my first trip to California. I came to California last February in an airplane directly to Santa Maria, California. We had to work for Martinez, a labor contractor in Santa Maria, for five months in order to earn our free transportation to Santa Maria. I stayed there the five months, and then went to Guadalupe and lived there and worked for Point Sal Company.

Last week this guy named Andy from Delano came to Santa Maria and started telling everybody to come to Delano to work. I heard from some guys who had heard from this man to come. So I talked to Andy in Martinez' Cafe in Santa Maria. This guy, Andy, was paying a friend of his also in Santa Maria 50¢ a hour to help round up people to come to Delano. Andy told me the work in Delano was real good and he would pay \$1.40 an hour and \$1.50 a row bonus. So I told him I would come.

We came, eight of us altogether, in a covered pickup truck. We stayed at California Camp, but they did not pay what they promised to pay. We were put to work by contract (piece work) \$3.60 a line of 90 vines. The second morning, we had an argument about this and we ended up leaving the camp and then later we met the people from the union and Cesar Chavez.

Before I came, neither Andy nor anyone else told me that there was a strike here and I did not personally know that there was a strike until after I was working in the fields of Delano.